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 LES JANKEY
 and DISABILITY RIGHTS
 ENFORCEMENT, EDUCATION,
 SERVICES: HELPING YOU
 HELP OTHERS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

LES JANKEY, an individual; and)	CV-09-0922-MMC
DISABILITY RIGHTS, ENFORCEMENT,)	
EDUCATION, SERVICES: HELPING)	EX PARTE APPLICATION FOR
YOU HELP OTHERS, a California public)	ADDITIONAL TIME TO SERVE
benefit corporation,)	DEFENDANT MILLER-RAVETTI CO., a
)	California general partnership AND
Plaintiffs,)	[PROPOSED] ORDER THEREON
)	
v.)	
)	
)	
DIRTY TRIX SALOON; MILLER-)	
RAVETTI CO., a California general)	
partnership; and LUMPY ENTERPRISES,)	
INC.,)	
)	
Defendants.)	

This action was filed on March 3, 2009. Pursuant to General Order 56 and Civil Local Rule 7-11, plaintiffs were to have served defendants on or before May 4, 2009.

The defendants to this action are MILLER-RAVETTI CO., a California general partnership; and LUMPY ENTERPRISES, INC. Defendant LUMPY ENTERPRISES, INC., accepted service by personal service on March 27, 2009, which plaintiffs' counsel filed the executed summons for this defendant on April 15, 2009. Defendant LUMPY ENTERPRISES, INC. answer is due on May 15, 2009.

1 Despite diligent efforts, plaintiffs have been unsuccessful in their attempts to serve
2 defendant MILLER-RAVETTI CO., a California general partnership with the summons and
3 complaint herein.

4 Plaintiffs' directed their process server to serve defendant at the initial service address
5 indicated on the summons (327 Bartlett Street, San Francisco, California 94110). Plaintiffs'
6 process server learned "Iso Rabins," is the current tenant that rents from defendant, MILLER-
7 RAVETTI CO., a California general partnership.

8 Plaintiffs' requested that the process server try and serve defendant MILLER-RAVETTI
9 CO., a California general partnership for service at an alternate address (436 Cornell Avenue,
10 San Mateo, California 94402), but the process server was not successful in this attempt either.
11 Per Neighbor, defendant was on vacation. Thereafter, plaintiffs' attempted to make several other
12 attempts to serve defendant MILLER-RAVETTI CO., a California general partnership with the
13 summons and complaint, but to no avail were they able to serve the defendant. Attached as
14 Exhibit "A" is the Affidavit of Reasonable Diligence from our process servers.

15 In light of the above described service difficulties, plaintiffs would respectfully request
16 that the last day for plaintiffs' to complete service on defendant be continued for a period of
17 60-days to allow plaintiffs' time to either succeed at or exhaust their service efforts, and
18 presuming that service is accomplished, to allow the defendant time to file a responsive pleading.

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1 Plaintiffs would also request that the last day for the parties and counsel to hold a joint
2 inspection of the premises be continued from June 11, 2009 to August 11, 2009, in order to give
3 all parties sufficient time to be served, appear, and meaningfully participate in the joint
4 inspection.

5 Respectfully submitted,

6
7 Dated: May 6, 2009


THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

8
9 By: _____/s/_____
10 Thomas E. Frankovich
11 Attorneys for Plaintiffs LES JANKEY and
12 DISABILITY RIGHTS ENFORCEMENT,
13 EDUCATION SERVICES

14 **ORDER**

15 IT IS SO ORDERED that plaintiffs have an additional sixty (60) days from the date of
16 this Order to serve defendant MILLER-RAVETTI CO., a California general partnership . IT IS
17 FURTHER ORDERED that the last day for the parties to hold the joint inspection of the
18 premises is continued to August 11, 2009.

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21 Dated: May 12, 2009



Hon. Maxine M. Chesney
UNITED STATES District Judge